

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MATTHEW SAIN,

Plaintiff,

vs.

**NATIONWIDE AFFINITY INSURANCE
COMPANY OF AMERICA,**

Defendant.

8:22CV3081

**SIXTH AMENDED
CASE PROGRESSION ORDER**

This matter comes before the Court on the Unopposed Motion for a Continuance of the Fifth Amended Case Progression Order ([Filing No. 58](#)). The Court finds good cause to grant the requested extension and extend other deadlines as necessary. Accordingly,

IT IS ORDERED that the Unopposed Motion to Continue for a Continuance of the Fifth Amended Case Progression Order ([Filing No. 58](#)) is granted, and the fifth amended case progression order is amended as follows:

- 1) The deadline for defendant to identify expert witnesses and complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is **June 7, 2024**.
- 2) The planning conference scheduled for May 8, 2024, is cancelled. The trial and pretrial conference will not be set at this time. A planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings will be held with the undersigned magistrate judge on **July 10, 2024**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 3) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is **July 12, 2024**.
- 4) The deadline for filing motions to dismiss and motions for summary judgment is **August 9, 2024**.
- 5) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **August 9, 2024**.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 5th day of April, 2024.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge